

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:11-cv-504 HEA
	)	
MASK OF KA-NEFER-NEFER,	)	
	)	
Defendant.	)	
	)	

**JOINT MOTION OF THE PARTIES FOR  
STIPULATED AWARD OF FEES, COSTS, AND POST-JUDGMENT INTEREST**

COME NOW the United States, by and through its attorneys Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Richard E. Finneran, Assistant United States Attorney for said District, and Claimant the Art Museum Subdistrict of the Metropolitan Zoological Park and Museum District of the City of St. Louis and the County of St. Louis (the "Museum") (together, the "Parties"), and for their Joint Motion for Stipulated Award of Fees, Costs, and Post-Judgment Interest state as follows:

1. Title 28, United States Code, Section 2465 provides that, in any civil proceeding to forfeit property under any provision of federal law in which a claimant substantially prevails, the United States shall be liable for reasonable attorney fees and other litigation costs reasonably incurred by the claimant and post-judgment interest as set forth Title 28, United States Code, Section 1961.

2. On September 9, 2014, this Court granted the Museum an extension of time, up to and including October 9, 2014, in which to file an application for fees, costs, and post-judgment

interest in this action.

3. As a result of negotiation and pursuant to an agreement between the Parties executed on September 18, 2014, the Parties hereby stipulate and agree:

- a. that the instant action was a civil proceeding to forfeit property under a provision of Federal law;
- b. that Claimant Museum substantially prevailed; and
- c. that the reasonable attorneys' fees and other litigation costs reasonably incurred by the Claimant Museum in this proceeding total Four Hundred and Twenty-Five Thousand Dollars (\$425,000.00), which sum includes any and all post-judgment interest having accrued as of the date of this motion.

4. The Parties therefore jointly move this Court to enter an award in favor of the Museum for its reasonable attorneys' fees and other litigation costs reasonably incurred in this action, inclusive of accrued post-judgment interest, in the total amount of Four Hundred and Twenty-Five Thousand Dollars (\$425,000.00).

5. A proposed order is filed herewith.

WHEREFORE the Parties jointly pray that this Court enter the proposed order, and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Patrick A. McNerney

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